



Board of Adjustment Case Report

City of Raleigh
Planning & Development Department
One Exchange Plaza
Raleigh, NC 27601
(919) 996-2475
www.raleighnc.gov

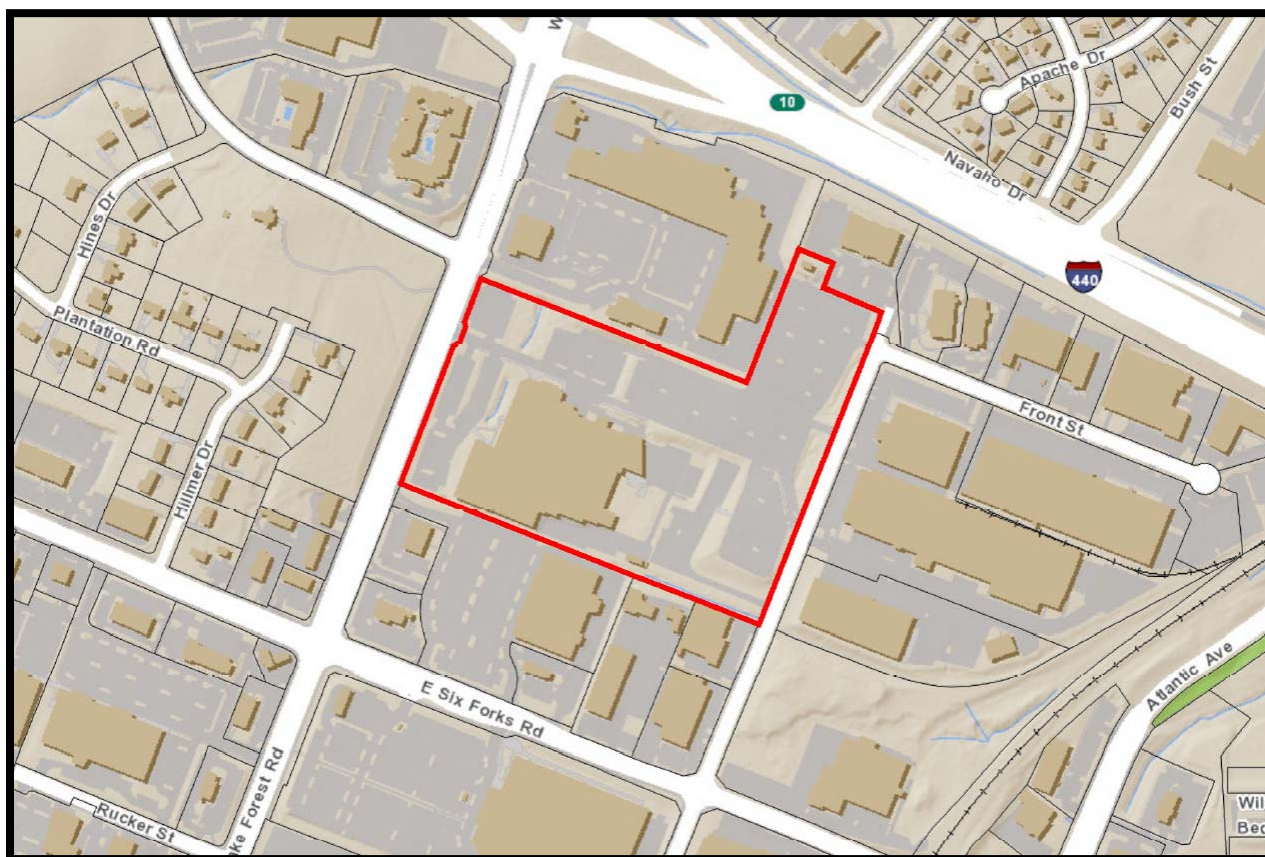
Case File: A-133-16

Property Address: 2912 Wake Forest Road

Property Owner: ITB Holdings, LLC

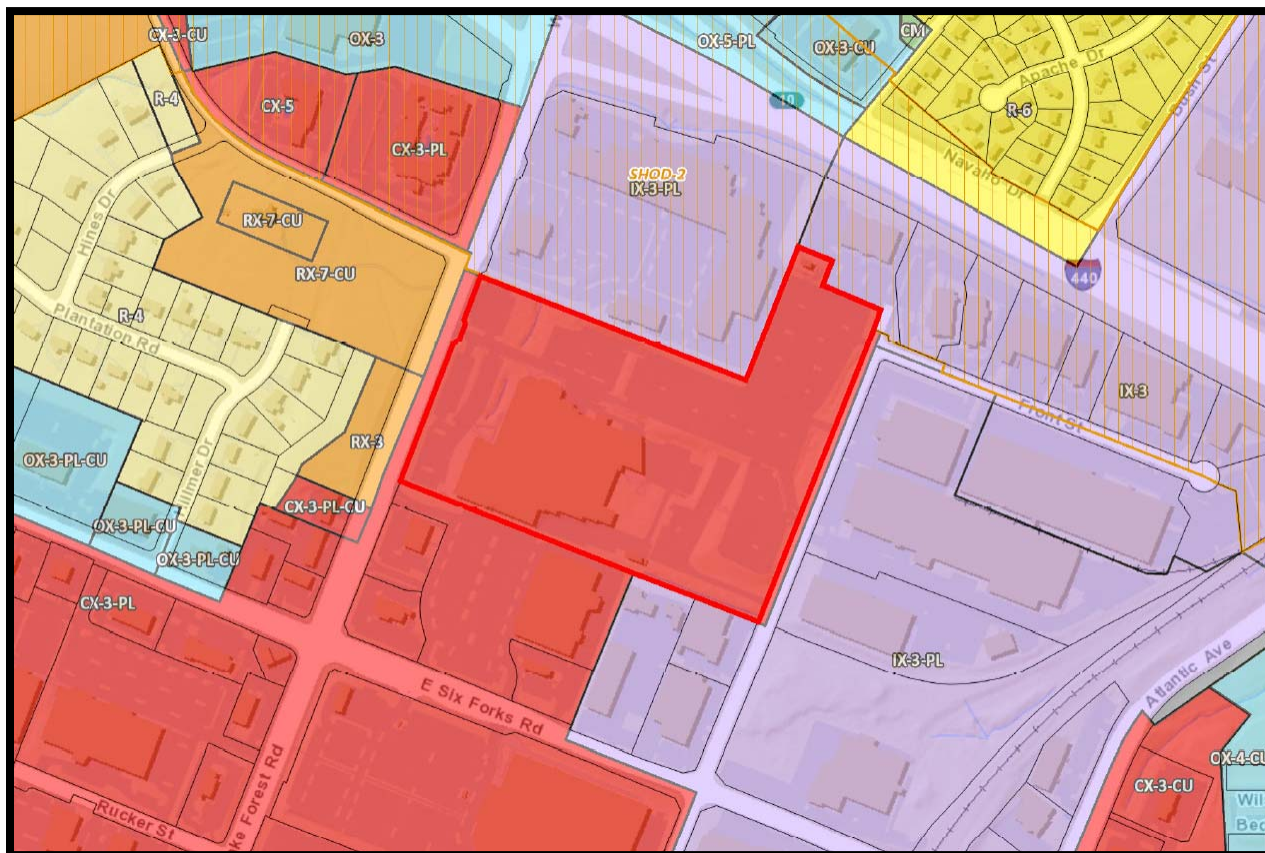
Project Contact: Michael Birch

Nature of Case: A request for a variance to Raleigh City Code section 10-2046(d)(2) to permit twenty-foot front yard setbacks and twenty-foot corner lot side yard setback along Wake Forest Road and the proposed extension of Wake Towne Drive, for property with a submitted site plan in review under the previous Industrial-1 legacy zoning ordinance. The requested variances propose to reduce the front yard setback and corner lot side yard setback from 50 feet to 20 feet on a 22.44 acre property currently zoned Commercial Mixed Use-3 stories-Parking Limited (CX-3-PL) and located at 2912 Wake Forest Road



2912 Wake Forest Road – Location Map

DISTRICTS: Commercial Mixed-Use-3 Parking Limited (Legacy zoning: Industrial-1)



2912 Wake Forest Road – Zoning Map

VARIANCE STANDARDS: In accordance with UDO **§10.2.10 Variance**, before a variance request is granted, the Board of Adjustment shall show all of the following:

- 1. Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.**
- 2. The hardship results from conditions that are peculiar to the property, such as location, size or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions**

that are common to the neighborhood or the general public, may not be the basis for granting a variance.

3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
4. The requested variance is consistent with the spirit, purpose and intent of the ordinance, such that public safety is secured and substantial justice is achieved.

Setback Standards: The Legacy zoning on the subject property was Industrial-1

Yard Type	Minimum Setback
Front Yard	50'
Corner Side	50'
Side	0'
Sum of sides	40'
Rear	0' or 50' if adjoining ROW

The current zoning on the subject property is Commercial Mixed-Use-3 Parking Limited (CX-3-PL): General Building setbacks for plans subject to the UDO would be:as follows:

Yard Type	Minimum Setback
Primary Street	5'
Side Street	10'
Side	0' or 6'
Rear	0' or 6'
Alley	5"

Application for Variance



Department of City Planning | 1 Exchange Plaza, Suite 300 | Raleigh, NC 27601 | 919-996-2626

Submit application to: Development Services Customer Service Center, 1 Exchange Plaza, Suite 400, Raleigh, NC 27601

NATURE OF REQUEST	OFFICE USE ONLY
Nature of variance request (if more space is needed, submit addendum on separate sheet): See attached Exhibit A.	Transaction Number
Provide all previous transaction numbers for Coordinated Team Reviews, Due Diligence Sessions, or Pre-Submittal Conferences. If this property was the subject of a previous variance request, provide the case number.	

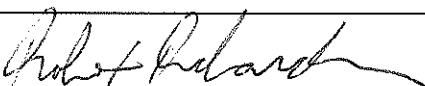


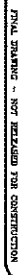
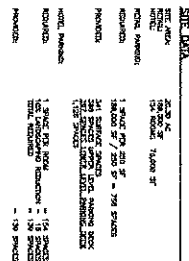
GENERAL INFORMATION		
Property Address 2912 Wake Forest Road	Date 11/10/16	
Property PIN 1715-24-1148	Current Zoning Legacy: IND-1; UDO: CX-3-PL	
Nearest Intersection Wake Forest Road and Wake Towne Boulevard	Property size (in acres) 22.44 acres	
Property Owner ITB Holdings, LLC	Phone	Fax
Owner's Mailing Address PO Box 2152, Chapel Hill, NC 27515	Email	
Project Contact Person Michael Birch, Morningstar Law Group	Phone 919.590.0388	Fax
Contact Person's Mailing Address 1330 St. Mary's Street, Suite 460, Raleigh, NC 27605	Email mbirch@morningstarlawgroup.com	
Property Owner Signature 	Email brichardson@errhedge.com	
Notary Sworn and subscribed before me this 9 th day of November, 2016	Notary Signature and Seal  	

Exhibit A

Petitioner requests a variance to Raleigh City Code section 10-2046(d)(2) to permit 20' wide front yard setbacks and 20' wide corner lot side yard setbacks along Wake Forest Road and the proposed extension of Wake Towne Drive, for property zoned Industrial-1 under the legacy zoning ordinance. The requested variances propose to reduce the front yard setback and corner lot side yard setback by 30' each, from 50' to 20'.

The attached plan shows the location of the proposed 20' setback line along Wake Forest Road and Wake Towne Drive.

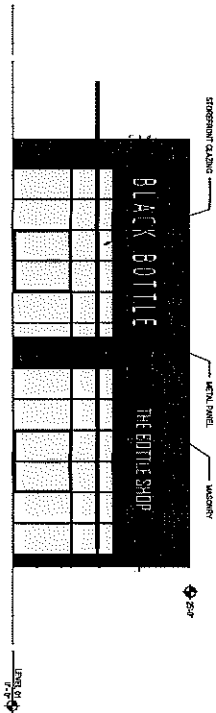


OVERALL SITE PLAN

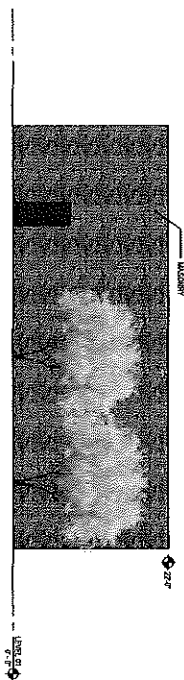
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REVIEWS

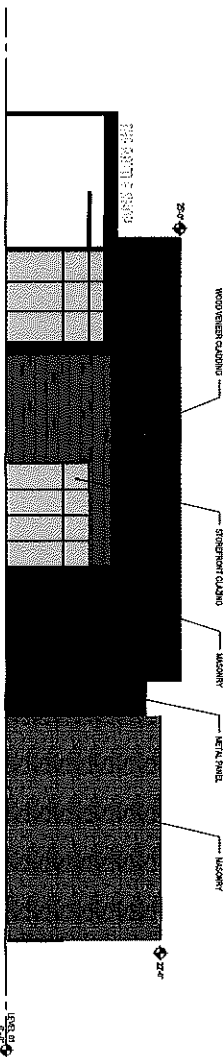




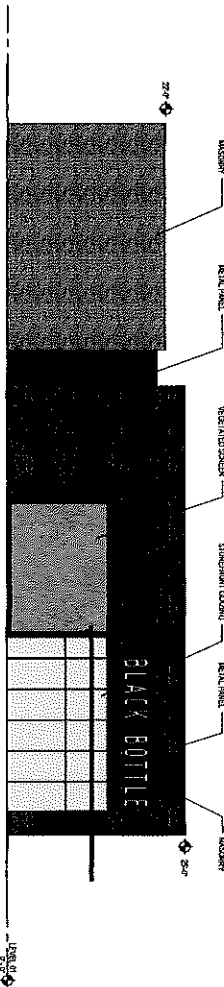
2 RETAIL 2 - SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



1 RETAIL 2 - NORTH ELEVATION
SCALE: 1/8" = 1'-0"



3 RETAIL 2 - EAST ELEVATION
SCALE: 1/8" = 1'-0"



4 RETAIL 2 - WEST ELEVATION
SCALE: 1/8" = 1'-0"

**ITB HOLDINGS
LLC**
2813 WAKE FOREST ROAD
RALEIGH, NC

Gensler
550 14th Street, NW
Atlanta, GA 30333
Tel: 404.524.2200
Fax: 404.524.2201

1.0 Scale: 1/8" = 1'-0"
1.02.18 PRELIMINARY PLAN

**NOT FOR
CONSTRUCTION**

Project Name: WAKE FOREST MIXED USE
Project Number: 05.1307.000
Description: BUILDING ELEVATIONS

Scale: 1/8" = 1'-0"
A1.0

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**TTB HOLDINGS
LLC**
2812 WAKE FOREST ROAD
RALEIGH, NC

Gensler
200 MARKET STREET
SUITE 1000
RALEIGH, NC 27601
TEL: 919.286.7000
WWW.GENSLER.COM

**NOT FOR
CONSTRUCTION**

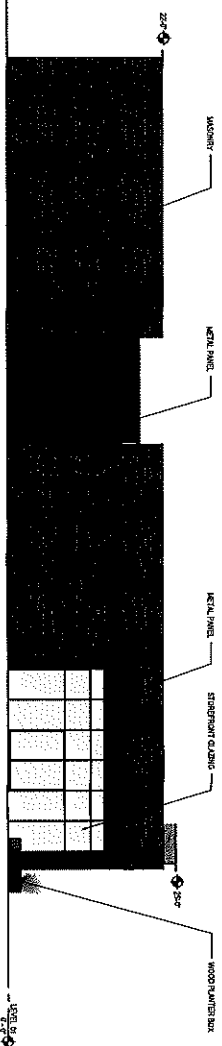
**NOT FOR
CONSTRUCTION**

WAKE FOREST MIXED USE
Project Number
05.1307.000
Description
BUILDING ELEVATIONS

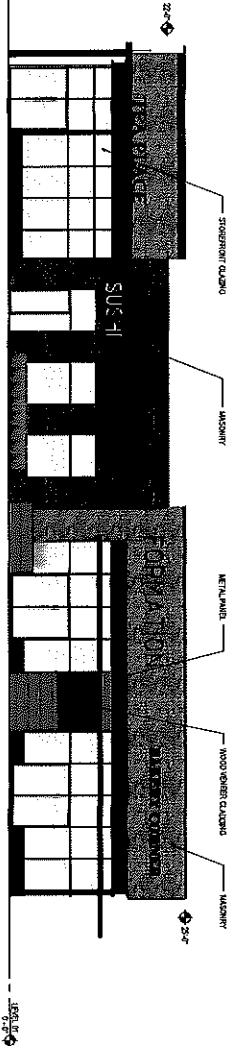
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A1.1

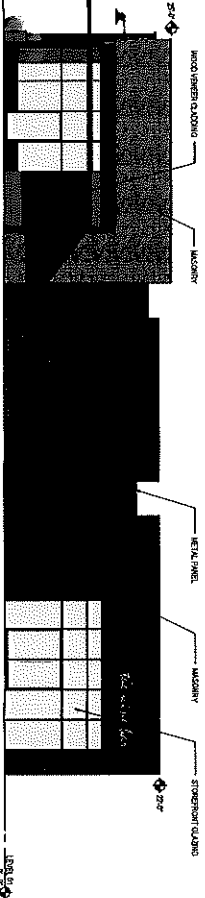
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SCALE: 1/8" = 1'-0"



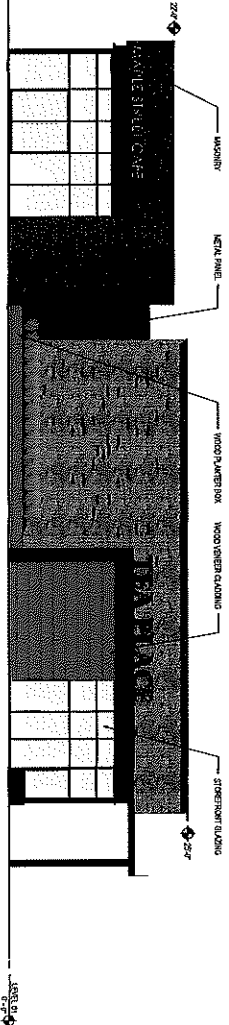
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SCALE: 1/8" = 1'-0"



3 RETAIL 3 - EAST ELEVATION
SCALE: 1/8" = 1'-0"



4 RETAIL 3 - WEST ELEVATION
SCALE: 1/8" = 1'-0"



BUILDING 4/8 FRONT ELEVATION

PHASE

SCALE 1/8"=1'

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1715241148
ITB HOLDINGS LLC
PO BOX 2152
CHAPEL HILL NC 27515-2152

1715137821
JONES SEBY B CHAR LEAD TRUST
YORK PROPERTIES INC
2108 CLARK AVE
RALEIGH NC 27605-1606

1715230377
JONES SEBY B CHAR LEAD TRUST
YORK PROPERTIES INC
2108 CLARK AVE
RALEIGH NC 27605-1606

1715230377
KEEPRO LLC
C/O COHEN POLLOCK MERLIN
ROSENBERG
4309 EMPEROR BLVD STE 110
DURHAM NC 27703-8046

1715234326
RURAL PLUMBING & HEATING INC
701 E SIX FORKS RD
RALEIGH NC 27609-7831

1715237419
CM & DM PROPERTIES LLC
2905 INDUSTRIAL DR
RALEIGH NC 27609-7528

1715242768
HOLLY PARK PROPERTY LLC
C/O PROPERTY TAX DEPARTMENT
PO BOX 790830
SAN ANTONIO TX 78279-0830

1715331206
SEARS ROEBUCK & CO
DEPT 36134, BC 151A
3333 BEVERLY RD
HOFFMAN ESTATES IL 60179-0001

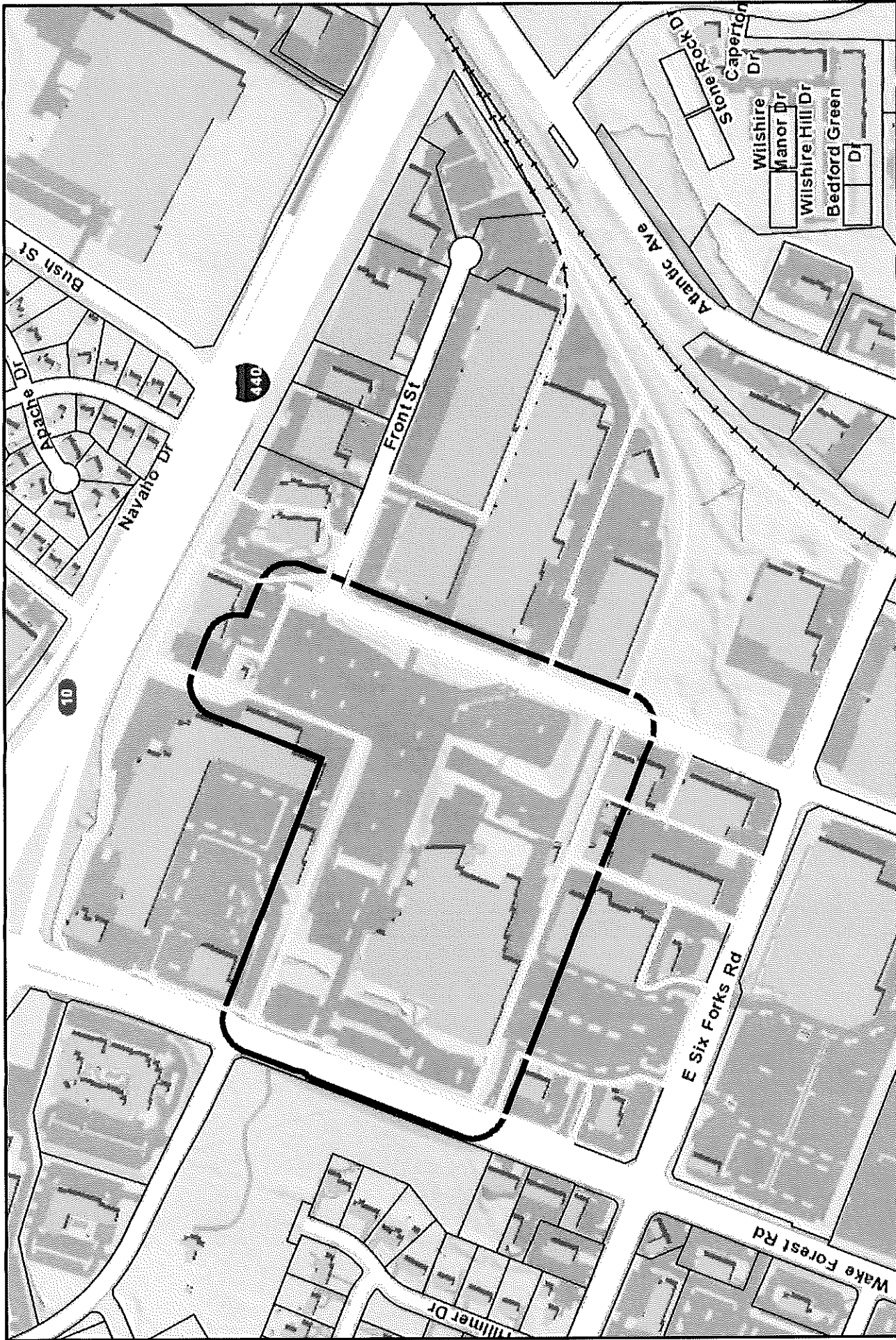
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NORTHSIDE COMPANY THE
4309 EMPEROR BLVD STE 110
DURHAM NC 27703-8046

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NORTHSIDE COMPANY THE
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DURHAM NC 27703-8046

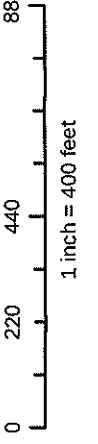
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DURHAM NC 27703-8046

1715344640
NORTHSIDE CO THE
4309 EMPEROR BLVD STE 110
DURHAM NC 27703-8046

1715344640
NORTHSIDE COMPANY THE
4309 EMPEROR BLVD STE 110
DURHAM NC 27703-8046



2912 Wake Forest Rd



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